

## REMARKS

Claims 15-72 were pending, of which claims 15-24 and 36-72 were withdrawn. Claims 25-35 stand rejected. Claims 26-35 have been cancelled. Claims 73-84 have been added. Upon entry of this amendment, claims 15-25 and 36-84 are pending, of which claims 15-24 and 36-72 are withdrawn.

Claims 33-35 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 33-35 have been cancelled.

Claims 28-32 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 28-32 have been cancelled.

Claims 25-28 and 30-35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Borghesi. Applicants respectfully traverse. Claim 26-28 and 30-35 have been cancelled. Claim 25 recites:

A computer-implemented method of determining a type of assignee to whom to assign an insurance claim, the method comprising:

- receiving data related to the insurance claim, the data comprising a plurality of data elements, a data element serving as an assignment criterion;
- determining a score of a data element, the score responsive to scoring rules;
- determining a score of the insurance claim responsive to a score of at least one data element;
- determining a priority of the insurance claim according to the score of the insurance claim;
- determining a class of the insurance claim according to classing rules; and
- determining a type of assignee to whom to assign the insurance claim according to the application of business rules to the score of the insurance claim and the class of the insurance claim, wherein the business rules weight the class more highly than the score.

Borghesi does not disclose, teach, or suggest the claimed element “determining a type of assignee to whom to assign the insurance claim.” While discussing administrative information, Borghesi mentions in passing that insurance claims are assigned: “Assignment information

includes items such as the claim number, the date the claim was reported, the date the claim was assigned, and information on who received the assigned claim, e.g., the names of the insurance company, appraiser and adjuster, as well as claim office location” (9:24-29). However, Borghesi does not address determining to whom to assign an insurance claim, let alone determining a type of assignee to whom to assign an insurance claim. Thus, Borghesi does not disclose, teach, or suggest the claimed element “determining a type of assignee to whom to assign the insurance claim.” Borghesi also fails to disclose, teach, or suggest the use of business rules to determine a type of assignee. Claim 25 is therefore patentable over Borghesi for at least this reason.

Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Borghesi in view of Brooks. Claim 29 has been cancelled.


Although the Examiner has not rejected new independent claim 73, Applicants note that this claim includes the claimed element “determining, based on the claim score and the class, the type of assignee.” Claim 73 is patentable over Borghesi for at least the reasons discussed above with respect to claim 25. New claim 84 contains similar claim language and is likewise patentable over Borghesi.

The claims not specifically mentioned above, including claims 74-83, depend from claim 73, which is patentable over Borghesi. In addition, these claims recite other features not included in their respective base claims. Thus, these claims are patentable over Borghesi for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicants respectfully submit that the pending claims are allowable over the cited art of record and request that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,  
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